

1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
3

4 IN RE: NATIONAL COLLEGIATE  
ATHLETIC ASSOCIATION ATHLETIC  
5 GRANT-IN-AID LITIGATION

No. MD 14-2541 CW

6 ORDER (1) DENYING  
THE FLOYD  
7 PLAINTIFFS' MOTION  
TO APPOINT  
HAUSFELD LLP AND  
8 ZELLE HOFMANN  
VOELBEL & MASON  
LLP AS CO-LEAD  
COUNSEL;  
9 (2) DENYING THE  
APPLICATION TO  
APPOINT THE DUGAN  
LAW FIRM AS  
10 ADDITIONAL CO-LEAD  
COUNSEL; AND  
11 (3) APPOINTING  
PLAINTIFFS'  
INTERIM CO-LEAD  
12 CLASS COUNSEL

13 (Docket Nos. 32,  
14 33)

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18 This matter comes before the Court on (1) the Floyd  
19 Plaintiffs' Motion to Appoint Hausfeld LLP and Zelle Hofmann  
20 Voelbel & Mason LLP as Co-Lead Counsel (Docket No. 32), and  
21 (2) the Application to Appoint Dugan Law Firm as Additional Co-  
22 Lead Class Counsel (Docket No. 33).<sup>1</sup> Upon consideration of the  
23 papers submitted in support of and in opposition thereto, and with  
24 good cause appearing, the motions are DENIED.

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27 <sup>1</sup> Docket No. 33 is styled not as a motion, but as an  
application. However, it is docketed as a motion, and because it  
28 seeks the same sort of relief sought in Docket No. 32, the Court  
treats both as motions.

United States District Court  
For the Northern District of California

1       The Court previously appointed Hagens Berman Sobol Shapiro  
2 LLP, Pearson, Simon & Warshaw LLP, and Winston & Strawn as  
3 Plaintiffs' Interim Co-Lead Class Counsel. The Court reaffirms  
4 its appointment of those firms as Plaintiffs' Interim Co-Lead  
5 Class Counsel. Hagens Berman Sobol Shapiro LLP and Pearson, Simon  
6 & Warshaw will have primary responsibility for all cases with  
7 damage claims, and for the consolidated actions, as well as for  
8 any additional actions that are consolidated with these cases.  
9 Winston & Strawn will have primary responsibility for the Jenkins  
10 case, which has no damage claims. Interim Co-Lead Class Counsel  
11 shall be responsible for the overall conduct of the litigation on  
12 behalf of the Class Plaintiffs.

13       Interim Co-Lead Class Counsel shall have the following  
14 specific responsibilities with respect to this litigation on  
15 behalf of the Class Plaintiffs:

16       1. To coordinate and make work assignments among themselves  
17 and other Plaintiffs' counsel to promote efficient prosecution of  
18 this litigation and to avoid duplication of work;

19       2. To prepare and file a consolidated amended complaint and  
20 all other necessary pleadings and filings in this matter;

21       3. To initiate and conduct all discovery proceedings and  
22 communicate with Defendants' counsel with respect to same on all  
23 issues related to the Class Plaintiffs;

24       4. To coordinate all motions, requests for discovery,  
25 expert work and other pretrial proceedings regarding the position  
26 of all the Class Plaintiffs. No motion, request for discovery, or  
27 other pretrial proceedings in this litigation shall be initiated  
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1 or filed by any class member except through Interim Co-Lead Class  
2 Counsel;

3 5. To conduct any trials in these proceedings on behalf of  
4 class members;

5 6. To meet with defense counsel with respect to settlement  
6 and other members on behalf of Class Plaintiffs;

7 7. To record and administer all time and expenses of  
8 counsel and staff in these and any other consolidated class action  
9 cases on a form set forth by Interim Co-Lead Class Counsel on a  
10 monthly basis or on such other schedule as may be established.  
11 Failure to maintain and timely submit such records will be  
12 considered in any fee allocation and may constitute grounds for  
13 denying court-awarded attorneys' fees;

14 8. To assess Plaintiffs' law firms' common litigation costs  
15 and collect assessments on a regular basis; and

16 9. To allocate any award of attorneys' fees among  
17 Plaintiffs' counsel.

18 IT IS SO ORDERED.

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20 Dated: August 22, 2014

  
CLAUDIA WILKEN  
United States District Judge

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